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Remarks/Arguments

Claims 1, 4, 5, 8, 11 and 12 have been amended and claim 28 has been added. These amendments and addition have been introduced for clarification purposes and are fully supported by the specification. Applicant has amended claims to clarify that a "link" is a "hyperlink". Support for the amendment can be found on page 24, lines 11-21 as well as in figure 8, elements 802, 806, 808 and 810. No new matter has been added to the prosecution of this application. For at least the reasons stated below, Applicant believes that all claims are now in condition for allowance.

1. 35 U.S.C. § 103 Rejections

Claims 1, 2, 6-9, 13, 14, 22, 23, 26 and 27 have been rejected under 35 U.S.C. § 103 as being unpatentable over Sheflott (US Patent 5,802,493) in view of Tibbetts (US Patent 6,158,044), in further view of Flores (US Patent 6,073,109). These three references do not teach or suggest the claimed invention as reflected by the independent claim 1 (and the analogous independent claim 8). "To establish a prima facie case of obviousness...the prior art reference (or references when combined) must teach or suggest all the claim limitations." MPEP 2143 (emphasis added). This requirement is not met.

A. The references do not teach the use of hyperlinks

Independent claim 1 recites the use of hyperlinks stored within the service provider data structures. Specifically, claim 1 includes: "(a) providing a database including a plurality of service provider data structures, wherein each service provider data structure includes a description of a particular service provider and contract manufacturing services provided by the service provider, and wherein the **database further includes a plurality of hyperlinks to information**", "(c) identifying a particular hyperlink based on the

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request data", "(d) sending the user the identified service provider data structure so as to identify to the user a particular service provider, and **sending the user the identified hyperlink**" as well as "(e) allowing the user to **obtain additional information utilizing the identified hyperlink.**"

In the first Office action (dated June 11, 2002), the Examiner did not cite any portions from Sheflott, Tibbetts or Flores" that teaches the provision, sending and use of hyperlinks. In their Response to the first Office action (September 11, 2002), Applicants pointed out that "[u]sers may, in addition to obtaining a description of a service provider, access additional information using the plurality of links to perform a number of collaborative tasks within the contract manufacturing framework." As Applicants pointed out in that Response, this "feature is not disclosed in any of the cited references."

In the second Office action (dated November 26, 2002), the Examiner asserted that Sheflott teaches service provider data structures that include links. As proof, the Examiner referred to elements 171, 178, 174 and 182 from figure 4 as well as to elements 56, 36 and 98 of an unspecified figure. In their Response to this second Office action (dated May 2003), Applicants amended claim 1 to clarify that when the user is sent the identified service provider data structure it is thus also sent the identified link(s).

Herein, Applicants have amended the claims to clarify that "links" means "hyperlinks". Applicants also respectfully assert that the Examiner has still not shown any proof that the cited references teach or suggest the use of hyperlinks. The elements offered by the Examiner previously as proof consist of the following:

element 171 - Q/A Database

element 178 - PSR Review of Questionnaire Sources

element 174 - Publish Update for Field Use

element 182 - Update with Latest Information

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element 56 - Has Managed Care unit answered this question before?

element 36 - Employer Profile Database

element 98 - Employer Employee Database

None of these elements teach or suggest the inclusion of hyperlinks in a database structure that is returned to the user so that the user can obtain additional information.

Therefore Applicants request that the rejections to claims 1/8/15/22 be withdrawn.

B. The references do not teach data on contract service providers

In the first Office action (dated June 11, 2002), the Examiner asserted that Sheflott teaches optimization services. In their Response to the first Office action (September 11, 2002), Applicants pointed out that claim 2 discloses a data structure that includes data "concerning contract service providers", which is not related to Examiner's reference to optimization services.

In the second Office action (dated November 26, 2002), the Examiner re-asserted that Sheflott teaches optimization services. Furthermore, the Examiner held that Tibbetts teaches "coordinating actions between proposal and any consumer which leads to optimization services" and that Flores teaches "performance optimization" and "satisfaction optimization". The Examiner did not comment on Applicants argument that "optimization services" do not teach or suggest what is actually claimed in claim 2, namely "wherein the service provider data structures include data concerning contract service providers."

In their Response to this second Office action (dated May 2003), Applicants once again pointed out that claim 2 recites that "data concerning contract service providers" and not "optimization services". On page 11 of the Response, Applicants stated "The Examiner appears to have this application confused with another application, as the contentions by

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the Examiner, even if true, do not bear on claim 2 as written. Accordingly, Applicants respectfully submit that the rejection was improper."

In the third Office action (dated June 17, 2003) presently before the Applicants, the Examiner again asserts that as per claim 2, Sheflott teaches "optimization services". On pages 7-9, where the Examiner responded to the Applicants' prior arguments, it does not appear that the Examiner explains why the Examiner believes "optimization services" to have any bearing on claim 2's "data concerning contract service providers". Therefore, once again, the Applicants request that this be explained or that the objections to claims 2/9/16/23 be withdrawn.

C. The cited references do not teach a system like that claimed

Applicants continue to assert that Sheflott teaches a method for generating responses to questionnaires and does not assist in selecting from among a plurality of manufacturing service providers (or from among any other type of service providers) in a database. Also, Applicants continue to assert that Tibbetts is also not pertinent to the present invention since Tibbetts is directed to decoupling a front-end of a computer system from the back end of the computer system using 'proposal' objects. The use of the term 'proposal' to refer to such computer architecture has nothing to do with the Applicants' invention of proposals for contract manufacturing services in the manufacturing services business industry. Finally, Applicants continue to assert that Flores is directed to scheduling tasks that a computer user must perform and prompting the user along the way. This 'reminder' system also has nothing similar to the invention of proposals for contract manufacturing services in the manufacturing services business industry. As all three of the cited references are to non-analogous arts from the art taught by Applicants, in addition to the three references not teaching each and every element of Applicants' claims, the three

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references would not be combined by one skilled in the art in building such a system as the present invention.

2. Conclusion

Above, Applicants present arguments against the independent claims (as well as claim 2). Since the rejections to the independent claims have been addressed, Applicants submit that all pending claims (independent and dependent) are in condition for allowance. Applicant respectfully requests reconsideration of the claims and that a Notice of Allowance be issued in this case. In the event a telephone conversation would expedite the prosecution of this application, the Examiner may reach the undersigned at 612-607-7508. If any fees are due in connection with the filing of this paper, then the Commissioner is authorized to charge such fees including fees for any extension of time, to Deposit Account No. 50-1901 (Docket 060021-358401).

Respectfully submitted,



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